

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CULLEN M. HANKERSON,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS,  
ET AL.,

Defendants.

CASE NO. 13-6073 RJB-KLS

ORDER ON REPORT AND  
RECOMMENDATION AND  
REMANDING CASE

This matter comes before the Court on the Report and Recommendation of U.S. Magistrate Judge Karen L. Strombom. Dkt. 3. The Court has considered the Report and Recommendation (Dkt. 3) and the remaining file.

The facts and relevant analysis regarding this case is in Report and Recommendation and should be adopted. The Report and Recommendation recommends that the Plaintiff's Motion for a Notice of Removal (Dkt. 1) be denied. This recommendation should be adopted. The Report and Recommendation's recommendation that the case be dismissed with prejudice should not be adopted. Instead, the matter should be remanded to Pierce County Washington Superior Court.

1 All other pending motions, including the Plaintiff's Motion to Waive All Filing Fees (Dkt. 5)  
2 should be stricken as moot.

3 It is **ORDERED** that:

- 4 • The Report and Recommendation of U.S. Magistrate Judge Karen L. Strombom  
5 (Dkt. 3) IS
  - 6 ○ **ADOPTED** as to the recommendation that the Plaintiff's Motion for a  
7 Notice of Removal (Dkt. 1) be denied;
  - 8 ○ **NOT ADOPTED** as to the recommendation of dismissal of the case with  
9 prejudice;
- 10 • The Plaintiff's Motion for a Notice of Removal (Dkt. 1) **IS DENIED**;
- 11 • The case is **REMANDED** to Pierce County, Washington Superior Court;
- 12 • All other pending motions **ARE STRICKEN AS MOOT**.

13 The Clerk is directed to send uncertified copies of this Order to U.S. Magistrate Judge  
14 Karen L. Strombom, all counsel of record and to any party appearing *pro se* at said party's last  
15 known address.

16 Dated this 19<sup>th</sup> day of March, 2014.

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19 ROBERT J. BRYAN  
20 United States District Judge  
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